

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Mr. Clayton-M Bernard-Ex,

Plaintiff

v.

Matthew Lay,

Defendant

Case No.: 2:24-cv-02195-JAD-BNW

**Order Adopting Report and
Recommendation and Dismissing Case**

[ECF No. 12]

Pro se plaintiff Clayton-M Bernard-Ex brings this civil-rights case against his criminal-defense attorney for alleged ineffective assistance and other misconduct during a 2017 Las Vegas Justice Court matter. The magistrate judge entered an amended screening order in this case on January 6, 2025. Finding that none of Bernard-Ex's federal claims are viable, the magistrate judge recommends that I dismiss and close this case.¹ The deadline for the plaintiff to object to that recommendation was January 20, 2025, and he filed no objection and did not ask to extend the deadline to do so. "[N]o review is required of a magistrate judge's report and recommendation unless objections are filed."²

Having reviewed the report and recommendation, I find good cause to adopt it, and I do.

IT IS THEREFORE ORDERED that **the Revised Screening Order and Report and Recommendation [ECF No. 8] is adopted in full.** IT IS FURTHER ORDERED that:


- Plaintiff's claims for ineffective assistance of counsel and violation of his right to self-representation are dismissed without prejudice and without leave to amend;

¹ ECF No. 12.

² *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

- Plaintiff's claims for collusion and acts of terrorism are dismissed with prejudice;
and
- Plaintiff's state-law claims are dismissed for lack of subject matter jurisdiction and
without prejudice to his ability to refile them in Nevada State Court.

As this leaves no claims pending, the Clerk of Court is directed to **ENTER**
JUDGMENT ACCORDINGLY and CLOSE THIS CASE.



U.S. District Judge Jennifer A. Dorsey
January 22, 2025